## UNITED STATES BANKRUPTCY COURT DISTRICT OF District of Oregon

# Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, Deadlines, *Proposed Case Dismissal*, and Trustee Appointment

U.S. BANKRUPTCY COURT DISTRICT OF OREGON FILED

July 10, 2007

Clerk, U.S. Bankruptcy Court

BY cbb DEPUTY

A Chapter 7 bankruptcy case concerning the debtor(s) named below was FILED ON 7/10/07.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office.

NOTE: The staff of the bankruptcy clerk's office is forbidden by law from giving legal advice.

#### SEE REVERSE SIDE FOR IMPORTANT EXPLANATIONS

Debtor(s) (name(s) and address):

Kerry L. Baldwin

16300 SW Timberland Drive Beaverton, OR 97007

Case Number: **07–32711–rld7** 

Soc. Sec./Taxpayer ID Nos.: xxx-xx-5649

Debtor(s) Attorney:

TODD TRIERWEILER 4721 NE 102ND AVE PORTLAND, OR 97220

Telephone No.: (503) 253-7777

Trustee

Amy E Mitchell POB 2289

Lake Oswego, OR 97035 Telephone No.: (503) 675–9955

#### DO NOT FILE A PROOF OF CLAIM UNLESS YOU RECEIVE A NOTICE TO DO SO!

#### **Meeting of Creditors**

August 9, 2007 AT 01:30 PM IN US Trustee's Office, 620 SW Main St Rm 223, Portland, OR 97205 (NOTE: NOT at Mult. Co. Cthse!)

Presumption of Abuse under 11 USC §707(b) (See "Presumption of Abuse" on the reverse side)

The presumption of abuse does not arise.

#### **Deadlines**

Documents must be received by the bankruptcy clerk's office by the following deadlines:

**DEADLINE** to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts: 10/9/07 **DEADLINE** to Object to Exemptions: Thirty (30) days after the *conclusion* of the Meeting of Creditors.

DEADLINE to File a Motion to Not Enter Discharge Per 11 USC §727(a)(12) Applicability: 10/9/07.

#### **Creditors May Not Take Certain Actions**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

#### Notices Re Proposed Dismissal of Case/Undue Hardship Presumption

**YOU ARE NOTIFIED:** (1) This case may be dismissed without further notice if the debtor(s) fail to either complete the Meeting of Creditors, or timely file any documents and/or make fee payments ordered by the court, unless within 20 days of the above "FILED" date a party in interest files a written objection to dismissal, **setting forth** specific grounds, with the Clerk of Court <u>AND</u> sends copies to BOTH the debtor's attorney (or debtor if pro se) AND trustee [IMPORTANT: Unless you receive an Order of Dismissal from this court, this case is active!]; <u>AND</u> (2) That any presumption of undue hardship that may exist in a reaffirmation agreement filed by the debtor(s) shall remain in effect until the effective date of any discharge order entered in this case unless a party of interest objects by 8/29/07.

#### **Foreign Creditors**

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File A Proof of Claim at This Time" on the reverse side.

#### **Trustee Appointment**

The trustee named above is hereby appointed as interim trustee in this case. Such trustee's bond shall be the blanket bond heretofore approved and filed with the U.S. Bankruptcy Court Clerk.

UNITED STATES TRUSTEE

#### DO NOT FILE A PROOF OF CLAIM UNLESS YOU RECEIVE A NOTICE TO DO SO!

**Bankruptcy Clerk's Office:** 

Phone: 503–326–1500 Office Hours: 9:00AM–4:30PM Paper Document Filing Location: See Information on Back

For the Court: Clerk, U.S. Bankruptcy Court

#### **EXPLANATIONS**

FORM B9A (3/13/06)	EXPLANATIONS
Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under Chapter 7 of the Bankruptcy Code (Title 11, United States Code) has been filed in this court by the debtor(s) named on the front side, and an order for relief has been entered.
Relief from Stay	Requests for NON –judicial relief from the stay of Bankruptcy Code §362(a), limiting actions to recover debtor's property, must comply with Local Form #715. Requests for judicial relief must comply with Local Form #720.50.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under §707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	The <b>DEBTOR</b> (both husband and wife in a joint case) <b>IS REQUIRED TO ATTEND AND COMPLETE</b> the Meeting of Creditors scheduled for the date, time and location listed on the front side <b>OR THIS CASE MAY BE DISMISSED! IMPORTANT NOTES:</b> (1) This meeting is <b>NOT</b> held at the court; <b>AND</b> (2) Debtor must provide a photo ID (e.g., driver's license; federal, state, student or military ID; U.S. passport; or resident alien card). Debtor must also provide proof of reported social security number (e.g., social security card; medical insurance card; pay stub; W–2 form; IRS form 1099; or Social Security Admin. report). <b>Original photo IDs and other documents are required.</b> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <b>YOU THEREFORE SHOULD NOT FILE A PROOF OF CLAIM AT THIS TIME.</b> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim and the deadline for filing your proof of claim, and providing you with a partially completed proof of claim form. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means you may never try to collect the debt from the debtor. If you believe the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and required filing fee by that Deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive that objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Court Clerk's Office (Document Filing, and Copies)	Any PAPER document that you file in this bankruptcy case (i.e., one not filed electronically via the Internet) must be filed at: U.S. Bankruptcy Court 1001 SW 5th Ave #700 Portland, OR 97204 (IMPORTANT NOTE: The Meeting of Creditors is NOT held at this address!)
	You may inspect all filed documents, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office. A deputy clerk will make copies of paper documents for $50  \text{\'e}$ a page (e.g., Schedules average \$10). Additionally, but only in the Portland office as the Eugene vendor quit, you may make copies of paper documents for $15  \text{\'e}$ a page. If the document is available as an electronic image, then you may make copies for $10  \text{\'e}$ per page using a public access terminal at either court office. Written requests for copies of court documents must include a self addressed and stamped 9" x 12" envelope, a \$26 search fee and the appropriate copy fee.
Internet Access, Information and Legal Advice	Court, and most case information, may also be accessed via the court's website at www.orb.uscourts.gov. For account numbers, etc. contact the debtor's attorney. Contact your <i>OWN</i> attorney with other questions and to protect your rights. The clerk's office staff is forbidden by law from giving legal advice!
Foreign Creditors	Consult a lawyer familiar with United States bankruptcy law if you have questions about your rights in this case.
— Refer to Other Side for Important Deadlines and Notices —	
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#### BAE SYSTEMS

#### Bankruptcy Noticing Center 2525 Network Place, 3rd Floor Herndon, Virginia 20171-3514

### CERTIFICATE OF SERVICE

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The following entities were served by first class mail on Jul 12, 2007.
                      +Kerry L. Baldwin, 16300 SW Timberland Drive,
                                                                                                                Beaverton, OR 97007-7803
                                                      , 4721 NE 102ND AVE, PORTLAND, OR 97220-3339
POB 2289, Lake Oswego, OR 97035-0074
                      +TODD TRIERWEILER,
aty
tr
                      +Amy E Mitchell,
                                                        Division of Child Support, Attn: Bankruptcy Unit, POB 14670,
                      +Dept of Justice,
smq
                           Salem, OR 97309-5013
                      +US Attorney, US Attorney, 1000 SW 3rd Ave #600, Portland, OR 97204-2936
smg
                      +US Attorney General, Department of Justice, 10th & Constitution NW, Washington, DC 20530-0001
smq
                      +US Trustee, Portland, 620 SW Main St #213,
                                                                                                            Portland, OR 97205-3026
ust
                     +Arnold Gallagher Saydack Percell Roberts, and Potter, PC, 800 Willamette, Suite 800, ATTN Diane Wiesheit, Eugene, OR 97401-2996
+Aurora Rural Fire, POB 231, Aurora, OR 97002-0231
+Child Support Enforcement, c/o Dept. of Justice, 1495 Edgewater St., NW, Ste. 290,
31612829
31612830
31612833
                     +Child Support Enforcement, c/o Dept. of Justice, 1495 Edgewater St., NW, Ste. 290, Salem, OR 97304-4650
+Citi Cards, POB 6000, The Lakes, NV 89163-0001
+Debra Baldwin, 16300 SW Timberland Drive, Beaverton, OR 97007-7803
+Grabhorn Landfill, 14930 SW Vandermost Road, Beaverton, OR 97007-8723
+Hillsboro Landfill, 3205 SE Minter Bridge Road, Hillsboro, OR 97123-5350
+Hillsboro Towing, 895 SW Baseline, Hillsboro, OR 97123-3894
+Jeffrey Silverman, Attorney, 5160 SW Beaverton Hillsdale Hwy 206, Portland, OR 97221-2975
+Kerry Baldwin Construction Cleanup Inc., 16300 SW Timberland Drive, Beaverton, OR 97007-7803
31612834
31612835
31612836
31612837
31612838
31612841
31612843
                     +Kerry Baldwin Construction Cleanup Inc., 10300 SW Illustrated DIT., Labor Ready, POB 3708, Seattle, WA 98124-3708

+Les Schwab Tire Center, Bankruptcy Dept., PO Box 667, Prineville, OR 97754-0667

+Multnomah County Itax, Attn: Myndi Fertile, PO Box 279, Portland, OR 97207-0279

+Oregon Contractors WC, 5300 SW Meadows Road, Ste 220, Lake Oswego, OR 97035-8225
31612844
31612845
31612846
31612848
                   +Oregon Contractors WC, 5300 SW Meadows Road, Ste 220, Lake Oswego, OR 9'
+Oswald and Mitchell, Attorneys, 12100 SW Allen Blvd, Beaverton, OR 9700!
+Pay Chex, 7650 SW Beveland Road, Portland, OR 97223-8692
Providence St. Vincent, Box 3396, Portland, OR 97208-3396
+Spa Outlet, 20975 SW TV Hwy, Beaverton, OR 97006-1751
+St Helens CU, POB 1009, Scappoose, OR 97056-1009
+St. Helens Community FCU, Box 537, St. Helens, OR 97051-0537
+Truck Diesel and Off Road, 3510-B SW 209th Avenue, Aloha, OR 97007-1149
+US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
(address filed with court: US Bank, Bankruptcy Department, PO Box 5229
31612849
31612850
31612851
31612852
31612853
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31612858
                                                                                             Bankruptcy Department, PO Box 5229,
                       Cincinnati, OH 45201-5229)
United Rentals, 4705 SE Hazelwitch Road, Hillsboro, OR 97123
31612857
                                                        17700 W Valley Hwy, Seattle, WA 98188-5546
Circuit Ct, # C064639CV, 150 N 1st, Hillsboro, OR 97124-3002
Circuit Ct, # C-05-4742 CV, 150 N 1st, Hillsboro, OR 97124-3002
31612856
                      +United Rentals,
                     +Washington County Circuit Ct,
31612859
31612861
                      +Washington County Circuit Ct,
                      +Washington County Circuit Ct, # C033317 DR 28739, 150 N 1st, Hillsboro, OR 9'
+West Hills Gastroenterology, 9155 SW Barnes Rd., #636, Portland, OR 97225-6633
+Williamson and Associates, 1 SW Columbia STE 625, Portland, OR 97258-2004
31612860
                                                                                                                        150 N 1st, Hillsboro, OR 97124-3002
31612862
31612863
The following entities were served by electronic transmission on Jul 11, 2007. tr +EDI: QAEMITCHELL.COM Jul 11 2007 00:06:00 Amy E Mitchell, F
                                                                                                         Amy E Mitchell, POB 2289,
                      Lake Oswego, OR 97035-0074
+EDI: ORREV.COM Jul 11 2007 00:06:00
                                                                                                                      955 Center NE #353,
                                                                                               ODR Bkcy,
                                                                                                                                                              Salem, OR 97301-2553
sma
                     +EDI: BMWFINANCIAL.COM Jul 11 2007 00:06:00 BMW Financial Services, Box 78103,
31612831
                           Phoenix, AZ 85062-8103
                      EDI: CAPITALONE.COM Jul 11 2007 00:06:00
31612832
                                                                                                         Capital One,
                                                                                                                                    PO Box 85015,
                     Richmond, VA 23285-5015
+EDI: IRS.COM Jul 11 2007 00:06:00
+EDI: IRS.COM Jul 11 2007 00:06:00
                                                                                            IRS, PO Box 21126,
31612839
                                                                                                                                       Philadelphia, PA 19114-0326
31612840
                                                                                           IRS-Insolvency Unit,
                                                                                                                                       PO Box 21126,
                      Philadelphia, PA 19114-0326
+EDI: ORREV.COM Jul 11 2007 00:06:00
                           I: ORREV.COM Jul 11 2007 00:06:00 ODR-Bankruptcy, 955 Center Street, NE Room 353, Salem, OR 97301-2553
31612847
                                                                                                                                c/o Bankruptcy Unit,
                     +EDI: USBANKARS.COM Jul 11 2007 00:06:00
                                                                                                      US Bank, Bankruptcy Department, PO Box 5229,
31612858
                           Cincinnati, OH 45201-5229
                                                                                                                                                                        TOTAL: 8
                    ***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
31612842
                     Kerry Baldwin Construction Clean-up Inc
                                                                                                                                                                        TOTALS: 1, * 0
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Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0979-3 User: carol Page 2 of 2 Date Rcvd: Jul 10, 2007 Case: 07-32711 Form ID: B9A Total Served: 42

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 12, 2007 Signa

Signature: Joseph Speetjins